

**SENATE AMENDMENT 120,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2003 SENATE BILL 44**

June 18, 2003 – Offered by Senator M. MEYER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 195, line 13: increase the dollar amount for fiscal year 2003–04 by
3 \$470,300 and increase the dollar amount for fiscal year 2004–05 by \$1,710,900 to
4 increase funding for Medical Assistance benefits.

5 **2.** Page 195, line 14: increase the dollar amount for fiscal year 2003–04 by
6 \$1,116,700 and increase the dollar amount for fiscal year 2004–05 by \$4,062,400 to
7 increase funding for the purpose for which the appropriation is made.

8 **3.** Page 436, line 11: delete ““debt service” includes debt” and substitute
9 ““operating expenses” has the meaning given in s. 67.04 (1) (ag).”.

10 **4.** Page 436, line 12: delete lines 12 to 14.

11 **5.** Page 436, line 16: before “for any fiscal” insert “for operating expenses”.

1 **6.** Page 436, line 16: before “for the previous fiscal” insert “for operating
2 expenses”.

3 **7.** Page 436, line 18: delete “1.”.

4 **8.** Page 436, line 23: substitute “(b)” for “2.”.

5 **9.** Page 437, line 3: delete lines 3 to 8.

6 **10.** Page 438, line 2: before “levy” insert “operating”.

7 **11.** Page 438, line 3: delete “a levy” and substitute “an operating levy”.

8 **12.** Page 438, line 5: delete “a levy” and substitute “an operating levy”.

9 **13.** Page 544, line 19: after that line insert:

10 **SECTION 1398c.** 49.46 (1) (a) 1. of the statutes is amended to read:

11 49.46 (1) (a) 1. Notwithstanding s. 49.19 (20), any individual who, without
12 regard to the individual’s resources and subject to par. (ar), would qualify for a grant
13 of aid to families with dependent children under s. 49.19.

14 **SECTION 1398d.** 49.46 (1) (a) 1g. of the statutes is amended to read:

15 49.46 (1) (a) 1g. Notwithstanding s. 49.19 (20), any individual who, without
16 regard to the individual’s resources and subject to par. (ar), would qualify for a grant
17 of aid to families with dependent children but who would not receive the aid solely
18 because of the application of s. 49.19 (11) (a) 7.

19 **SECTION 1398e.** 49.46 (1) (a) 1m. of the statutes is amended to read:

20 49.46 (1) (a) 1m. Any pregnant woman whose income, determined in
21 accordance with par. (ar), does not exceed the standard of need under s. 49.19 (11)
22 and whose pregnancy is medically verified. Eligibility continues to the last day of
23 the month in which the 60th day after the last day of the pregnancy falls.

1 **SECTION 1398f.** 49.46 (1) (a) 6. of the statutes is amended to read:

2 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who, without regard
3 to the individual's resources and subject to par. (ar), would be considered, under
4 federal law, to be receiving aid to families with dependent children for the purpose
5 of determining eligibility for medical assistance.

6 **SECTION 1398g.** 49.46 (1) (a) 9. of the statutes is amended to read:

7 49.46 (1) (a) 9. Any pregnant woman not described under subd. 1., 1g., or 1m.
8 whose family income, determined in accordance with par. (ar), does not exceed 133%
9 of the poverty line for a family the size of the woman's family.

10 **SECTION 1398h.** 49.46 (1) (a) 10. of the statutes is amended to read:

11 49.46 (1) (a) 10. Any child not described under subd. 1. or 1g. who is under 6
12 years of age and whose family income, determined in accordance with par. (ar), does
13 not exceed 133% of the poverty line for a family the size of the child's family.

14 **SECTION 1398i.** 49.46 (1) (a) 11. of the statutes is amended to read:

15 49.46 (1) (a) 11. If a waiver under s. 49.665 is granted and in effect, any child
16 not described under subd. 1. or 1g. who has attained the age of 6 but has not attained
17 the age of 19 and whose family income, determined in accordance with par. (ar), does
18 not exceed 100% of the poverty line for a family the size of the child's family. If a
19 waiver under s. 49.665 is not granted or in effect, any child not described in subd. 1.
20 or 1g. who was born after September 30, 1983, who has attained the age of 6 but has
21 not attained the age of 19 and whose family income, determined in accordance with
22 par. (ar), does not exceed 100% of the poverty line for a family the size of the child's
23 family.

24 **SECTION 1398j.** 49.46 (1) (a) 12. of the statutes is amended to read:

1 49.46 (1) (a) 12. Any child not described under subd. 1. or 1g. who is under 19
2 years of age and whose income, determined in accordance with par. (ar), does not
3 exceed the standard of need under s. 49.19 (11).

4 **SECTION 1398k.** 49.46 (1) (ar) of the statutes is created to read:

5 49.46 (1) (ar) 1. Except as provided in subd. 2. and except to the extent that the
6 determination is inconsistent with 42 USC 1396a (a) (17), for purposes of
7 determining under par. (a) 1., 1g., or 6. whether an individual would qualify for a
8 grant of aid to families with dependent children under s. 49.19 or would be
9 considered, under federal law, to be receiving aid to families with dependent
10 children, or of determining whether an individual meets the income limits under par.
11 (a) 1m., 9., 10., 11., or 12., “income” includes income that would be included in
12 determining eligibility for aid to families with dependent children under s. 49.19 and
13 excludes income that would be excluded in determining eligibility for aid to families
14 with dependent children under s. 49.19.

15 2. Notwithstanding s. 49.19 (5), for purposes of determining under par. (a) 1.,
16 1g., or 6. whether an individual would qualify for a grant of aid to families with
17 dependent children under s. 49.19 or would be considered, under federal law, to be
18 receiving aid to families with dependent children, or of determining whether an
19 individual meets the income limits under par. (a) 1m., 9., 10., 11., or 12., (am), or (e),
20 the department shall exclude from the calculation of farm or self-employment
21 income any amounts claimed for depreciation for income tax purposes.

22 **SECTION 1398L.** 49.46 (1) (e) of the statutes is amended to read:

23 49.46 (1) (e) If an application under s. 49.47 (3) shows that the individual
24 individual’s income, determined in accordance with par. (ar), meets the income limits
25 under s. 49.19, or that the individual meets the income and resource requirements

1 under federal Title XVI or s. 49.77, or ~~that the individual~~ is an essential person, an
2 accommodated person, or a patient in a public medical institution, the individual
3 shall be granted the benefits enumerated under sub. (2) whether or not the
4 individual requests or receives a grant of any of such aids.

5 **SECTION 1398m.** 49.46 (1) (L) of the statutes is repealed.”.

6 **14.** Page 545, line 5: after that line insert:

7 “**SECTION 1403g.** 49.47 (4) (am) 1. of the statutes is amended to read:

8 49.47 (4) (am) 1. A pregnant woman whose family income, determined in
9 accordance with par. (cg). does not exceed 155% of the poverty line for a family the
10 size of the woman’s family, except that, if a waiver under par. (j) or a change in the
11 approved state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is 185%
12 of the poverty line for a family the size of the woman’s family in each state fiscal year
13 after the 1994–95 state fiscal year.

14 **SECTION 1403h.** 49.47 (4) (am) 2. of the statutes is amended to read:

15 49.47 (4) (am) 2. A child who is under 6 years of age and whose family income,
16 determined in accordance with par. (cg). does not exceed 155% of the poverty line for
17 a family the size of the child’s family, except that, if a waiver under par. (j) or a change
18 in the approved state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is
19 185% of the poverty line for a family the size of the child’s family in each state fiscal
20 year after the 1994–95 state fiscal year.

21 **SECTION 1403i.** 49.47 (4) (c) 1. of the statutes is amended to read:

22 49.47 (4) (c) 1. Except as provided in par. (am) and as limited by subd. 3.,
23 eligibility exists if income, determined in accordance with par. (cg). does not exceed
24 133 1/3% of the maximum aid to families with dependent children payment under

1 s. 49.19 (11) for the applicant’s family size or the combined benefit amount available
2 under supplemental security income under 42 USC 1381 to 1383c and state
3 supplemental aid under s. 49.77, whichever is higher. ~~In this subdivision~~

4 (cg) 1. Except as provided in subd. 3., for purposes of determining whether an
5 individual’s income meets the income requirements under par. (c), “income” includes
6 earned or unearned income that would be included in determining eligibility for the
7 individual or family under s. 49.19 or 49.77, or for the aged, blind or disabled under
8 42 USC 1381 to 1385. “Income” does not include and excludes earned or unearned
9 income which that would be excluded in determining eligibility for the individual or
10 family under s. 49.19 or 49.77, or for the aged, blind or disabled individual under 42
11 USC 1381 to 1385.

12 **SECTION 1403j.** 49.47 (4) (c) 3. of the statutes is amended to read:

13 49.47 **(4)** (c) 3. Except as provided in par. (am), no person is eligible for medical
14 assistance under this section if the person’s income, determined in accordance with
15 par. (cg), exceeds the maximum income levels that the U.S. department of health and
16 human services sets for federal financial participation under 42 USC 1396b (f).

17 **SECTION 1403k.** 49.47 (4) (cg) 3. of the statutes is created to read:

18 49.47 **(4)** (cg) 3. Notwithstanding s. 49.19 (5), for purposes of determining
19 whether an individual under par. (ag) or (am) is eligible for medical assistance, the
20 department shall exclude from the calculation of farm or self–employment income
21 any amounts claimed for depreciation for income tax purposes.

22 **SECTION 1403L.** 49.47 (4) (h) of the statutes is renumbered 49.47 (4) (cg) 2. and
23 amended to read:

24 49.47 **(4)** (cg) 2. ~~For the~~ Except as provided in subd. 3., for purposes of
25 determining whether an individual meets the income limits under par. (am),

1 “income” includes income that would be used included in determining eligibility for
2 aid to families with dependent children under s. 49.19 and excludes income that
3 would be excluded in determining eligibility for aid to families with dependent
4 children under s. 49.19.”.

5 **15.** Page 548, line 14: after that line insert:

6 “**SECTION 1416m.** 49.665 (4) (a) 1. of the statutes is amended to read:

7 49.665 (4) (a) 1. The family’s income does not exceed 185% of the poverty line,
8 except as provided in par. (at) and except that a family that is already receiving
9 health care coverage under this section may have an income that does not exceed
10 200% of the poverty line. The Subject to par. (d), the department shall establish by
11 rule the criteria to be used to determine income.”.

12 **16.** Page 548, line 21: after that line insert:

13 “**SECTION 1418c.** 49.665 (4) (d) of the statutes is created to read:

14 49.665 (4) (d) For purposes of determining a family’s or child’s income under
15 this section, the department shall exclude from the calculation of farm or
16 self–employment income any amounts claimed for depreciation for income tax
17 purposes.”.

18 **17.** Page 595, line 11: delete lines 11 to 14 and substitute:

19 “(a) “Operating expenses” has the meaning given in s. 67.04 (1) (ag).”.

20 **18.** Page 595, line 21: after “levy” insert “for operating expenses”.

21 **19.** Page 596, line 16: delete lines 16 to 22.

22 **20.** Page 597, line 15: before “levy” insert “operating”.

23 **21.** Page 597, line 16: delete “a levy” and substitute “an operating levy”.

1 **22.** Page 597, line 17: before “levy” insert “operating”.

2 **23.** Page 597, line 18: delete “a levy” and substitute “an operating levy”.

3 **24.** Page 719, line 9: after that line insert:

4 “**SECTION 1672m.** 84.02 (15) of the statutes is created to read:

5 **84.02 (15)** TRAFFIC CONTROL SIGNAL EMERGENCY PREEMPTION DEVICES. (a) In this
6 subsection:

7 1. “Additional cost” means the difference in cost between installation of a traffic
8 control signal that is equipped with an emergency preemption device and
9 confirmation signal and installation of a traffic control signal that is not so equipped,
10 and includes the difference in incidental costs such as electrical wiring.

11 2. “Authorized emergency vehicle” has the meaning given in s. 340.01 (3) (a),
12 (c), (g), or (i).

13 3. “Confirmation signal” means a white signal, located on or near a traffic
14 control signal equipped with an emergency preemption device, that is designed to be
15 visible to the operator of an approaching authorized emergency vehicle and that
16 confirms to the operator that the emergency preemption device has received a
17 transmission from the operator.

18 4. “Emergency preemption device” means an electrical device, located on or
19 within a traffic control signal, that is designed to receive an electronic, radio, or sonic
20 transmission from an approaching authorized emergency vehicle that alters the
21 normal sequence of the traffic control signal to provide or maintain a green signal for
22 the authorized emergency vehicle to proceed through the intersection.

23 5. “Political subdivision” means a county, city, village, or town.

1 6. “Traffic control signal” means any electrical device by which traffic is
2 alternately directed to stop and permitted to proceed by means of exhibiting different
3 colored lights successively.

4 (b) Before the department installs a new traffic control signal on a state trunk
5 highway within the corporate limits of any political subdivision, the department
6 shall do all of the following:

7 1. Notify the political subdivision of the planned traffic control signal
8 installation.

9 2. Notify the political subdivision of the additional cost of equipping the traffic
10 control signal with an emergency preemption device and confirmation signal.

11 3. Provide the political subdivision with the opportunity to request that the
12 traffic control signal be equipped with an emergency preemption device and
13 confirmation signal.

14 (c) If any political subdivision requests under par. (b) 3. that the department
15 equip the traffic control signal with an emergency preemption device and
16 confirmation signal, and one or more political subdivisions contributes a total of 50%
17 of the additional cost specified under par. (b) 2., the department shall equip the traffic
18 control signal with an emergency preemption device and confirmation signal when
19 the department installs the traffic control signal.

20 (d) Notwithstanding pars. (b) and (c), this subsection does not prohibit the
21 department from installing on any state trunk highway, at the department’s
22 expense, any traffic control signal equipped with an emergency preemption device
23 and confirmation signal. The department may install a new traffic control signal
24 equipped with an emergency preemption device and confirmation signal under this
25 paragraph without providing notice and an opportunity to respond under par. (b) to

1 any political subdivision. The department shall install a confirmation signal with
2 every new emergency preemption device installed by the department under this
3 paragraph.

4 (e) Any new traffic control signal installed by the department after the effective
5 date of this paragraph [revisor inserts date], that is not equipped with an
6 emergency preemption device shall include all electrical wiring necessary to equip
7 the traffic control signal with an emergency preemption device and confirmation
8 signal.

9 (f) The department shall promulgate rules to implement and administer this
10 subsection. The rules shall include procedures and deadlines for the department's
11 notification of political subdivisions, and for political subdivisions' requests and
12 contributions to the department, under this subsection.”.

13 **25.** Page 973, line 13: after that line insert:

14 “**SECTION 2606m.** 349.067 of the statutes is created to read:

15 **349.067 Traffic control signal emergency preemption devices. (1)**
16 Notwithstanding s. 349.065, any traffic control signal installed by a local authority
17 after the effective date of this subsection [revisor inserts date], that is equipped
18 with an emergency preemption device, as defined in s. 84.02 (15) (a) 4., shall be
19 installed with a confirmation signal, as defined in s. 84.02 (15) (a) 3.

20 **(2)** Notwithstanding s. 349.065, any new traffic control signal installed by a
21 local authority after the effective date of this subsection [revisor inserts date], that
22 is not equipped with an emergency preemption device shall include all electrical
23 wiring necessary to equip the traffic control signal with an emergency preemption
24 device and confirmation signal.”.

1 **26.** Page 1103, line 25: after that line insert:

2 “(2f) ADJUSTED BASE FOR BUDGET REQUESTS. Notwithstanding section 16.42 (1)
3 (e) of the statutes, in submitting information under section 16.42 of the statutes for
4 the 2005–07 biennial budget bill, the board of regents of the University of Wisconsin
5 System and the higher educational aids board shall submit information concerning:

6 (a) The appropriation under section 20.235 (1) (fe) of the statutes as though the
7 amount appropriated under that appropriation for the 2004–05 fiscal year equaled
8 \$34,959,600.

9 (b) The appropriation under section 20.285 (4) (dd) of the statutes, as affected
10 by this act, as though the amount appropriated under that appropriation for the
11 2004–05 fiscal year equaled \$4,922,900.

12 (c) The appropriation under section 20.285 (4) (a) of the statutes as though the
13 amount appropriated under that appropriation for the 2004–05 fiscal year equaled
14 \$6,555,900.”.

15 **27.** Page 1137, line 5: after that line insert:

16 “(17m) EXCLUDING DEPRECIATION FROM INCOME FOR MEDICAL ASSISTANCE AND
17 BADGER CARE. The treatment of sections 49.46 (1) (a) 1., 1g., 1m., 6., 9., 10., 11., and
18 12., (ar), (e), and (L), 49.47 (4) (am) 1. and 2., (c) 1. and 3., (cg) 3., and (h), and 49.665
19 (4) (a) 1. and (d) of the statutes first applies to eligibility determinations for the
20 Medical Assistance and Badger Care health care programs that are made on the
21 effective date of this subsection.”.

22 **28.** Page 1141, line 2: after that line insert:

